

Feb. 1847
BENOIST 1

(16)

Justin Joseph

vs

John Brill admr

& Bernard Benoit admr

filed this 1st day
of February 1847

W. G. Evans clk

PASCAGOULA LIBRARY
GENEALOGY COLLECTION

Justine Joseph

vs

John Brill Ham &
& Bernard Benoit JrIn the Court of Probates of Harrison
County State of Mississippi
to the February Term A.D. 1847

Direct Interrogatories to be propounded
to Barthelime Grilot a Citizen of Mobile County State of
Alabama a material witness in the above case and whose
answers will be read as evidence on the part of defendants
on the trial of the above case.

Interrog. 1st are you acquainted with the parties of this suit if you
state how long you have been acquainted with Justine
Joseph Alias Francois Bongarcon the Complainant in
this suit

2nd Did or did you not know Bernard Benoit Sen late
of the County of Harrison State of Mississippi if you state
when you first became acquainted with him; did you or
not know his father and mother if you state who they were
White or Black and at the time of the birth of said Bernard
Benoit deceased they were free or Slaves if they were married
Lawfully or not.

3rd had to your knowledge the said Bernard deceased
any brothers or Sisters if you state whether they were
brothers or Sisters or both if they were older or younger than
him if they were free or Slaves, if any of them were lawfully
married and to whom.

4th What relation or kin is the present Complainant Justine
Joseph to the said Bernard Benoit deceased do you or not
know his father and mother who are they what relation
does either of them bear to said Bernard deceased are they
Lawfully married.

5th under this Interrogatory state all you know which
may be of advantage to defendants as fully as if especially
interrogated there on

J. C. Mount & D. W. Hurst
attorneys for defendants

Prop Interrogatories propounded on the part of the ~~Defen~~ Plaintiff -

Prop Interrogatory first. If You answer the said Interrogatories, that you did know the Father & mother of Gestein Joseph. Please state whether they did not live together as husband & wife

Prop Interrogatory second. Was your acquaintance with the Father and mother of Gestein - Joseph so intimate and close, that they could not be married without your knowledge, and were they not husband and wife by reputation when they resided

Prop Interrogatory third. Under this please state fully do you know that may benefit the complainant -

W. A. Champlin
Atty for Compt

Justine Joseph
vs
John Brill adm- &c
& Bernard Benoit

Benoit
In the Court of Probates of Harrison Co
Sitting at Mississippi City

We the Counsels for the Plaintiffs and
defendants respectively agree that a Commission ifue,
directed to the State Commissioner in Mobile if any is appointed
or to a person whose name shall be left blank but who shall
be a person appointed and authorized to administer an oath under
the constitution of the State of Alabama, forthwith and we hereby
waive the notice required by law authorizing the Clerk to issue the
Commission on the filing of the annexed interrogatories waiving all
objections to notice form, or manner of taking the deposition of
Barthelemy Grelot leaving however all subject to, illegal question
or answer which may be made on both sides respectively

J. C. Monet D. W. Hurst
attorneys for Defendants

I agree to the above with the exception of
waiving any objections to the "manner
of taking the deposition", which must
be done before some officer authorized to
administer an oath and in accordance
with the principles of Law.

W. A. Champlin
att'y for Compt.

DEMOIST 6
In the Court of Probates of Harrison County

Justine Joseph

John Brill adm-

Assn

(11

Filed November 24th
A D 1845

W. H. Harris Clerk

PASCAGOULA LIBRARY
GENEALOGY COLLECTION

John Brill

advs

Justine Joseph

In the Probate Court of Harrison County
of November Term A.D. 1855

The Answer of John Brill administrator of all the goods and chattels rights and credits which were of Bernard Benoit Sen deceased at the time of his death to the petition of Justine Joseph complainant in this suit.

This respondent saving and reserving to himself the right of exceptions to the many errors imperfections and misstatement in said bill of complaint contained for answer thereto or so much thereof as he is advised is material to answer Answers and says. That he admits it to be true that he has been appointed the administrator of said Bernard Benoit's estate that there are but few debts due by the estate, that said Bernard Benoit deceased left at his death a considerable estate consisting of negroes, cattle, horses farming utensils &c that he died intestate, he further admits that more than twelve months have elapsed since the granting of the letters of administration to him but he denies that complainant is either heir at law or next of kin, although he admits that said Bernard died without any lawful issue, and he charges that Bernard Benoit's mother died without having ever been married and that the said complainant is a descendant of the said Bernard Benoit's sister who was an illegitimate child and who was never married herself therefore incapable of inheriting or transmitting the right to inherit to her descendants.

This respondent having fully answered denies all frauds and combinations and call upon the Complainant for full and distinct proof of all the allegation of his said petition not here expressly admitted and prays to be dismissed hence with his reasonable cost &c

D. M. Gurt

for respondent

E. J. Youngers

Atty for John Brill

Admin

Frank Snell dies at 30 years; services today

Funeral services will be held Tuesday at 10 a.m. at Big Point Methodist Church for Frank Snell, 30, who died at Columbia Sunday.

A native and lifelong resident of Big Point, he had been in ill health for several years and was hospitalized at Columbia.

The Rev. Jack Troutman, pastor of the church of which he was a member, will officiate at the services. Interment will follow at Big Point Cemetery.

Survivors include her husband, two brothers O. B. Cunningham of Chattanooga, W. P. Cunningham of Lucedale; two sisters Mrs. Fannie Jones of Hurley and Mrs. W. G. Reynolds of San Francisco, Calif.

Falls Funeral Home of Moss Point is in charge of arrangements.

Native of England Mrs. Alice Ames dies at age of 93

Time has not been set for funeral services at Grenada Wednesday for Mrs. Alice Marie Ames, 93, who was dead on arrival at Singing River Hospital Sunday at 8:30 p.m.

A native of England, she lived at Grenada 55 years, for the past three years had made her home with a daughter Mrs. Otis Benoist at 824 Jackson Avenue in Pascagoula.

She was a charter member of Grenada Eastern Star and of All Saints Episcopal Church at Grenada.

The Rev. Mike Engle, pastor of the church of which she was a member, will officiate at services.

She is also survived by a son Bernard William Ames of Berkley, Mich., a sister Miss Ethel Green of Canada, two grandchildren and two great-grandchildren.

Falls Funeral Home at Pascagoula is in charge of arrangements.

AN ADULT EXPERT, with the fire building her scouts, this prac- spring, comporee at scout and his patrol.

troop 220, A. A. Turner; 25, C. C. Mergenshroer; 27, Ray Dyer; troop 122, Nelson; troop 230, Fred b; troop 235, Donald ningham; troop 238, D. E. berg; and troop 237, Watts.

ges for various scoutcraft s were: Matt Boykin, El- town, and Cleve Bond.

er leaders were Chester camp director; Tom Kin- campfire director; and vers of the camping and ties committee: Ted Pre- Ken Brian, Pete Fairley, Bradshaw, and Wallace

Theft In Fantasyville

OENIX, Ariz. (AP) — If's deputies are search- or a thief with a yen for street names.

ren signs were taken from abdivision during one 's raid. The signs read: hless Drive, Mule Train

RED HAT SPECIAL At Weaver Moto

SAVE A PILE

OPEN TILL 8 P.M.

ON THESE CARS

'59 PONTIAC Catalina, 4-dr., hardt fully equipped, very sh beautiful cherry mar finish. **SAVE \$400**

'58 OLDS Super '88, 4-dr., fully equipped, full power and air conditioning, very nice. **SAVE \$300**

\$1195

'61 COMET Economy "6", 4-dr., new, one owner, out sh time, very sharp every heater, W-tires, standa transmission, perfect. **SAVE OVER \$700**

\$1695

'61 RAMBLER Super "6", 4-dr., like new, one owner, out short time, radio, heater, W-tires. **SAVE OVER \$600**

\$1795

COULA LIBRARY GENEALOGY COLLECTION

Proceeding in the Probate Court of Washington
 County State of Mississippi at a Special Term
 of said Court held at the City of Natchez
 of March 22^d 1845 being the 1st day of said
 month the Honorable Samuel S. Henry Judge
 of said Court Presiding John Henry Deputy
 Sheriff & George C. Richards Clerk

The State of Mississippi In the Probate Court of
Harrison County ss. 3d said County 16 March
Special Term A.D. 1848

Be it remembered that on the 2nd of
November A.D. 1848 Yeterm Joseph filed his petition in the
Court of the said Probate Court of Harrison County
State of Mississippi in the words and figures following
to wit.

State of Mississippi To the Hon. Wm. J. J. J.
Harrison County } of the Probate Court of the said
County

The Petition of Yeterm Joseph a resident of
the City of Mobile Would respectfully show unto your
Honor that he is the only heir at Law and next of kin
of Bernard Benoit dec'd late of the said County that
the said Bernard died Intestate leaving no lawful
issue that John Brill has been appointed
Administrator of said Bernard. That there is no debt
against said Bernard's Estate of any consequence that
he left a considerable amount of personal property
consisting of Negroes Stock Farming utensils and
other property as may be seen by reference to the
Inventory proceedings on the said Estate in your Honor's
Court. Your petitioner would further show that more
than twelve months have elapsed since the granting
Letters of Administration to said Administrator
and that he has not yet made distribution of the same.

And your petitioner prays that you will order
said Administrator to make distribution of said
Bernard's Estate to your Petitioner and as in and
according to your Petitioner will ever pray &c &c

W. L. Manley atty at law

W. A. Chapman atty at law

Personally appeared in open Court W. A. Chapman

attorney for Yestun Joseph and being duly sworn
deposed and said that all the facts set forth as of his
own knowledge are true, and those stated as derived
from others he believes to be true.

Given to in open Court M. A. Chauplin
M. L. Leamy tell

And on the 2nd day of August 1844
Suma filed in the aforesaid Office of the aforesaid
County and State a Petition to be made a party to
the Suit pending in favor of Yestun Joseph M.
John Brill Administrator which petition is in the
words and figures following to wit.

The State of Mississippi In the Court of Probate
Harrison County 3 August Term A.D. 1844

To the Honorable George Worley Judge of the Court of
Probate of said County.

The Petition of Bernard Benoit
a resident of said County of Harrison and State of
Mississippi respectfully sheweth unto your honor, That
at the November Term of this Honorable Court a certain
Yestun Joseph of the City of Mobile State of Alabama
by attorney filed a petition in this Court praying distribution
to him of the Estate of Bernard Benoit Senr deceased a
next of him and legal heir. Your Petitioner who is the
natural son of said deceased having by an act of
Legislature of the State of Mississippi approved
February 13th 1844 had all the rights title and interest
of the Estate of Mississippi to said Estate of Bernard
Benoit transferred and assigned to him and
said Bernard Benoit Senr having died without legal
issue next of him or legal lineal heirs and Your
Petitioner having had all the rights of legal heir
vested in him by said act of the Legislature is well
assured that no other heir but himself exist and

being desirous to be able to contest the claims of said
 Yeston Joseph your Petitioner therefore prays your honor
 to grant him a rule upon the Complainant at some short
 term by this honorable Court appointed to make a party
 to his bill or petition or show cause to the Court why your
 Petitioner should not be made a party to said petition
 and if the Complainant shall fail to make
 petitioner a party or to show cause at the expiration of
 the rule, his suit be dismissed - and your Petitioner
 as in duty bound will ever pray &c

his
 Bernard X. Bennett
 mark

J. B. Wood, Solicitor

The State of Mississippi

Harrison County

3 Personally Came in open Court

Bernard Bennett Junior who on his oath says that
 the matter set forth in the foregoing petition are true
 to the best of his knowledge and belief

Sworn to in open Court

Bernard X. Bennett
 mark

August Term A.D. 1844

McClellan City

upon the reading of said petition the Probate Court
 made the following order at its August Term A.D. 1844

Bernard Bennett vs Yeston Joseph On petition of Bernard
 Bennett Jr to be made a party to the suit now pending

between Yeston Joseph and John Brill Administrators
 of the Estate of Bernard Bennett Jr deceased It is

ordered that Yeston Joseph do make the said Bernard
 Bennett Jr a party

or show cause to the contrary and if cause to the
 contrary should be shown that a copy thereof be served

upon the opposite party or his attorney of record in days
 previous to the expiration of said rule And this shall

Yeston Joseph by his Solicitor on the 13th of November
 1844 filed in the office of the Probate Court of Harrison

to take away the rights of your respondent and to substitute another person as heir to said Estate or to take any control of said Estate, until your Honorable Court shall finally decide upon rights of your respondent. Your Respondent further answering saith that he denies that the said Petitioner is the natural son of the said decedent or that the said decedent died intestate and that he further denies any right herein in him by the said Petitioner refused to in his petition, and generally denies, all the matters and things set forth in the petition of the said Bernard Benoit (except what is herein before admitted) and prays that the said petitioner may be held to strict proof and that in a final hearing the bill of the said Petitioner may be dismissed with costs to this respondent.

W. A. Champion
Solicitor for Respondent

which Petition of Bernard Benoit Jr and the answer of Joseph Benoit were taken on to be heard on the first day of the aforesaid March Term and after argument of said cause said Court decided that the said Joseph Benoit should not be compelled to make said Bernard Benoit a party to his petition to which decision of the Court the said Bernard Benoit by his counsel excepted and prays that this his bill of Exceptions may be signed read and allowed by the Court which is accordingly done before the adjournment of the Court.

Geo. J. Henry (Seal)
Judge of Probate of Harrison
County Mississippi

BEHOLDIST 14/6

The State of Mississippi }
Harrison County } I George O. Richard Clerk
of the Probate Court hereby certify that the foregoing
is a true and correct copy of the Proceedings of said
Court as remains of Record in my office this 20th
day of March A.D. 1845

of said Court annexed this 20th day of
March A.D. 1845

Geo. O. Richard Clerk

and ample manner as appears from the foregoing, and that he is the sole heir and only distributee to said Estate, which is now in the hands and possession of John Bell a resident of said County of Harrison and State of Mississippi who has been appointed administrator of all such property the goods and chattels, rights and credits which were of the said Bernard Benoit senior deceased at the time of his death, and who did institute

your petitioner would further represent unto your honor that more than twelve months have elapsed since the granting of Letters of Administration, that but very few debts exist against said Estate, and those of small amount, your petitioner therefore prays your honor to grant a rule on said administrator to make a statement of the said Bernard Benoit's Estate to your honor, and that he be held to answer fully, and be compelled to account as to the assets belonging to the Estate in his hands, and of his actings and doings in the premises against all persons, debts or demands which may or shall be made against the Estate of said deceased. Your petitioner tenses to your honor a bond in such an amount as your honor may deem sufficient Conation for the repayment of a due satisfaction of any debts or demands which may hereafter appear against said Estate.

as for the Inventory returned to the Honorable Court to which appointment and Inventory this Respondent refers and prays may be taken as part of this his answer.

This Respondent further says that the debts of the said Estate as presented to him do not amount to a large sum probably not more than \$1200 exclusive of the expenses of the administration. The costs this Respondent has been obliged to incur in defending this Estate in various Law Suits in the Honorable Court, in the Circuit Court of this County, and in the High Court of Errors and Appeals.

This Respondent admits that more than half has elapsed since the granting of said administration and this Respondent further says that he holds this said Estate as Administrator only and that he is ready and willing to deliver the same into the hands of the Honorable Court and distribute the same among the legal heirs of the said deceased, whenever this Honorable Court shall so order and decree. This Respondent having his final account first audited and allowed and the costs and expenses of said Administration paid and reimbursed to him; This Respondent; But this Respondent absolutely and positively denies that the said Complainant is the legal heir of the said Estate or entitled to the same as distribute either under the fundamental law of this State or under any special act that has been enacted for his particular relief; But in fact saith that the said Complainant is a slave and of

not Estate, all
 in Estate and, in that case
 yet happened, There being a petition and
 in this Honorable Court in the name of Justin J.
 claiming to be the legal heir of the said Benoit
 and his heirs and assigns
 of the said Justin Joseph, the said
 Benoit cannot be heard in any Court and is
 then not in this Honorable Court - and your
 respondent is duty bound to

John Bull

A Administrator

The State of Mississippi
 Hannan County

3 Personally appeared

Benoist 19

Bernard Benoist Sr

The State of Mississippi

John Brill adm'r

In the Court of Probates of Harrison County
Of the July Term A.D. 1849.

To the Honorable Charles J. Crane Judge of Probates of said
County the petition of Bernard Benoist Sr a resident of said County, respectfully
represents to your honor

That he is the natural son of Bernard Benoist Sen deceased
late of said County, and was by an act of the legislature of the State of Mississippi approved
February 13th 1844, made a distributee of the whole estate of Bernard Benoist Sen
deceased, and who died without legal issue or next of kin on or about the 26th day of
December A.D. 1841. in the said County of Harrison. On the 1st Monday in January 1842
letters of administration ad Colligendum were granted by the Honorable the Court of Probates
of said County of Harrison to one John Brill, a resident of said County and who is
one of the defendants to this petition, over the estate of said deceased. On the 1st Monday
in March 1842 One Pierre Saurier a creditor to the estate applied for letters of
administration in opposition to John Brill also an applicant, which said applications
were taken under advisement by his honor the judge of said Court. On the 4th Monday
in May 1842, by its decision the Court of Probates aforesaid granted the letters of
administration to John Brill, to which decision Pierre Saurier appealed to the
high Court of errors and appeals, the said John Brill surrendered the possession
of this Estate which he had had from the 1st Monday in January, which estate
was composed of thirteen negroes about four hundred of Cattle twelve
horses two Cows besides household furniture &c., few days thereafter to one
Louis A. Cadellaret who had been appointed administrator by the Court during
the pendency of the appeal, and who retained said Estate in his possession until
the 4th Monday in August 1843, at which time said Brill was confirmed as
the administrator of the Estate of said Bernard Benoist Sen deceased.
From that time, said Brill as administrator has had the possession the whole of
said estate until about the 1st of November 1846, at which time the said
administrator by an order of the Court of Probates granted on the _____ day of
1846 distributed to your petitioner the whole remaining estate of said
deceased. Your petitioner Charges that said administrator during the
said

time to wit: from the 1st Monday in January 1842, until the 4th Monday in May 1842, and from the 4th Monday in August 1843, until the 1st day of November 1846, received for the hire of negroes and other services arising out of the estate large sums of money; the precise amount your petitioner possesses no means of ascertaining, but he is informed, and verily believe, that if the estate has been properly administered, it must exceed two thousand dollars, which amount would not only have paid the debts due by the Estate, which were but few at the time of the death of said deceased and of small amounts, not exceeding in all two hundred dollars; Covered the expenditure of maintaining the negroes in clothing &c, and paid all other expenditures of the administration of said estate, and leaving besides a considerable over plus in the hands of said administrator to account for with your petitioner; and which your petitioner was reasonably in hope that the said John Brill administrator as aforesaid would have paid him as his just due.

Yet the said John Brill administrator as aforesaid combining and confederating with divers other persons, unknown to your petitioner, and whom when known are prayed to be made parties to this petition, to defraud your petitioner, but more particularly with
 x one Dewapent Pardon of said County of Harrison, who is now prayed to be made a party to this petition, have drawn up an account against said estate exceeding the income of said Estate as reported by said administrator, and showing a balance to a large amount to wit \$ dollar as due by said estate to said administrator. (a Certified Copy of which account is hereto annexed as exhibit A, and to which for more certainty your honor is referred, and which is prayed to be made a part of this petition) Your petitioner further charges that all the items of said account more appear to have been debts due by the deceased before his death and paid by the administrator excepting an account. (a Certified copy of which is hereto annexed as exhibit B, and to which your honor for more certainty is now referred, and which is prayed to be made a part of this petition) amounting to \$ 570.00 for work and labor and services rendered to the deceased by one Dewapent Pardon. Your petitioner is informed, ^{and verily believe,} that said account is false and fraudulent.

was never due by said Bernard Benoit sen^r deceased, that the said Dewapont Pardon was never employed or hired at any wages by said deceased, that said Dewapont Pardon during the life of said deceased was in the habit of frequently to visit the premises of said deceased for the purpose of Cohabitation with one of deceased's negro women but that ^{he} never was hired or performed for the deceased ~~for the charges in said account~~ and that during the greater part of the time charged in said account, said Pardon was employed and engaged on board of Schooners belonging to other persons, and your petitioner is informed and verily believes that said administrator, at the time said account was assigned to him by said Pardon, knew or believes the same to be fraudulent and not due by the estate of said deceased. The remainder of the account rendered by said administrator, are debts contracted by S^d administrator, and the most of them not chargeable to the estate. Your petitioner further charges that said administrator has not properly administered said Estate, that number of the negroes to wit: nine of them remained without being hired and as a charge upon the estate the whole time of his administration, and were not even employed in gathering, or marking the cattle of ^{the} estate, but others were employed by the administrator, as charged in the account rendered by him, for that purpose, at the expense of the estate. Your petitioner further charges that, said administrator had in his possession as servant to his own house, a negro woman belonging to the Estate, from the 1st Monday in January 1842 until the 1st of November 1846 for which he has not accounted, or if he has accounted it is in a very insufficient manner. Your petitioner further charges that said administrator, during his whole administration has endeavored to defeat the claims of your petitioner by every means in his power, that he has runned said estate by his management into large amount of unnecessary costs, and is yet daily causing costs to accrue without need, to the great and manifest injury of your petitioner.

Your petitioner further charges that, the account hereto annexed as exhibit A was presented for allowances to the

Court of Probates

Yours and Cared forward

11

Estate of Demard Benoit deceased the Account
with John Brill Administrator
November Term AD 1846

The Administrator prays allowance for the
following disbursements made on behalf of the Estate
To wit

For Amount paid W. Clifton for Attorneys fees in the High Court of Errors & Officials as per Voucher	No 1	3	\$100.00
For Amount paid Estate of Peter Dotey for Attorneys fees Voucher	No 2	3	100.00
For Amount paid C. P. Jurniquet Attorneys fees as per Voucher	No 3	3	186.28
For Amount paid H. R. Adams for advertising in the Eastern Clarion as per Voucher	No 4	3	7.00
For Amount paid Calvin Bradley for driving gathering & marking the Cattle of the Estate Voucher	No 5	3	82.20
For the Taxes of the Estate for the year 1841 & 1842 Voucher	No 6	3	41.70
For the Taxes of the Estate for the year 1843 Voucher	No 7	3	24.20
For Amount paid Wm. M. Hulman for driving twenty head of Cattle belonging to the Estate to Miss. City by order of S. A. Cullant Admin. Vendente etc as per Voucher	No 8	3	14.00
For Amount paid Valbot Henley as an Appraiser on the Estate as per Voucher	No 9	3	8.00
For Amount paid W. Henney as same Voucher	No 10	3	8.00
Amount Carried forward			\$561.38

Amount Brought Forward

\$561.3

For Amount of Administrators ac^t for clothing & food

The A

furnished the negroes of the Estate as per Voucher No 11,

76.2

sum.

For Amount paid Duendant Pardon as
per Voucher

No 12

570.

as fo
Receiver

For the taxes of the Estate for the year 1845 Voucher No 13,

22.60

of his

For the Amount paid L. A. Caillat adm^r Pendente Lite,

by allowance of the Probate Court Voucher

No 14,

123,

of his a^d
ReceiverAmount paid Wm Parshall as an Affirasser on the
Estate Voucher

No 15

30

of his a^d
ReceiverAmount paid John Sadner Sr for taking care
of the Cattle &c belonging to the Estate Voucher No 16

20

up to

Amount paid Duendant Pardon for taking
care of the Cattle &c belonging to the Estate
Voucher

No 17,

50.00

the s^e
Receiver

Amount paid Affirassiers employed by

L. A. Caillat adm^r Voucher

No 18

18.00

As per
Re

Amount paid for taxes for the year 1846

Voucher No

19

27.75

of the
to 31

\$1,495.23

705.56

\$789.67

154.32

\$635.35

Or By Amt Collected from Richard & Co

Ar for this sum paid E. P. L. & Co Agent of Estate

\$328 ⁴⁶/₁₀₀ & \$135 ⁹⁶/₁₀₀

463.72

\$1,099.07

Amt paid Evans & Co for recording Judgment

Caillat adm^r vs Duendant Voucher No 20

1.00

Amt paid A. Hester for Cost in the High Court
of Errors Appeals Voucher No 23

14 87 1/2

The Administrator (charges) on a/c of the Estate
sums of money Received on a/c of the Estate
BENOIST 24

as follows viz

Received from the Sadner Admr the Amount
of his note given L A Caillavet Admr for a
purchase of Cattle from the Estate \$ 36.00

Received from L A Caillavet the balance
of his a/c as rendered to the Probate Court 4.00

Received from Ludlow & Richard for the hire of
the Negroes Johnson, Julian & Washington
up to the 28th Feb 1845 as per this a/c herewith
marked as Exhibit - A 377.68

Received from Ludlow & Richard for the hire of
the same from Feb 28 1845 up to Oct 1845
as per a/c herewith marked Exhibit - B 194.13

Received from Richard & Co for the hire
of the same negroes from 31st October 1845
to 31 May 1846 as per a/c herewith
marked Exhibit - C 82.20

Received from Charles Bellman for hire of
Boys Johnson Sept 23rd 1845 9.33
705.56

Received from Richard & Co for the hire
of Julian Washington & Johnson
9 Mts & 6 days at \$30 276.90
Less Loss of time Clothing & Care charges 122.52
154.38
\$859.88

Filed 23rd Feb 1847
W. C. Evans clrk
By (M. W. Howard) Dc

Property delivered 24 Oct 1846

Estate of Bernard Benoit deceased in account
with John Brill Administrator

The Administrator pays allowance for the following
disbursements made in behalf of said Estate to wit

Am't paid O K Clifton for Attorneys fees in the High Court of Errors & Appeals as per Voucher No 1	\$100. 00
Am't paid Peter Daters Estate as Atty fees in Probate Court Voucher No 2	\$100. 00
Am't paid Et Jouniquet Atty fees on aff as per Voucher No 3	186. 28
Am't paid J R Adams for advertising in the Eastern Clarion as per Voucher No 4	7. 00
Am't paid Calvin Bradley for driving & gathering & marking the Cattle of the Estate as per Voucher No 5	82. 20
Am't of Taxes of Estate for the years 1841 & 1842 as per Voucher No 6	41. 70
Am't of Taxes of Estate year 1844 Voucher no 7	24. 20
Am't paid Wm McSwetnam for driving 20 head of Cattle belonging to the Estate to Mississippi City by order of L A Cuillart Admr Pendante Lite as per Voucher No 8	14. 00
Am't paid Talbot Henley as an Appraiser on the Estate as per Voucher No 9	8. 00
Am't paid J H Henry for same as per Voucher 10	3. 00
Amount of Administrators exp for clothing & food furnished to the negroes of the Estate as per Voucher No 11	76. 20
Amount paid Duaneant Pierdom as per Voucher No 12	570. 00
Am't of taxes of Estate year 1845 Voucher 13	22. 64
	<u>1,230. 22</u>

Amount of Admin Credits Brought Forward \$1,230.00

Amount paid L A Caillavet Admin Pendente Lite as per order of Court Voucher No 14	3	123.06
Amount paid Wm Puchell as an Appraiser on the Estate Voucher No 15	3	3.00
Amount paid to Mrs Sadamir for taking Care of the Cattle belonging to the Estate as per Voucher No 16	3	28.20
Amount paid Duaneant Pindon for taking Care of the Cattle belonging to the Estate as per Voucher No 17	3	50.00
Amount paid to Appraisers employed by L A Caillavet Admin Voucher No 18	3	18.00
Amount paid for taxes of year 1843 Voucher No 19	3	27.75
Amount paid P P Fourniquet City of the Estate as per Voucher No 20	3	135.26
Amount paid P P Fourniquet City of the Estate as per Voucher No 21	3	328.46

\$1,958.95

Balance due Administrator up to this date
May 1847

\$1,099.07

Amount paid Evans Clerk for Recording
Judgment Louis A Caillavet vs
Jas Adair No 22

\$ 1.00

Voucher No 23 R Hester late Sheriff

14 87 1/2

The Administrator Charges himself with the following sums of money received on acc of the Estate as follows

Received from the Lardner the amt of his note given to L A Caillart Admin for a purchase of Cattle from the Estate	36. 00
Received from L A Caillart the Balance of his acc as rendered to the Probate Court	6. 00
Received from Ludlow & Richards for hire of Negroes Johnson, Julian & Washington as per Exhibit marked A	377. 68
Received from Richard & Ludlow for hire of same negroes as per Exhibit B	194. 13
Received from Richards & Co for hire of same negroes as per Exhibit C	82. 20
Received from Chs Bellman for hire of Boy Johnson Sept 23 1845	9 53
Received from Richards & Co for hire of same negroes as per Exhibit D	154 32

Am't Due Admin to Balance acc

1099. 07

Filed May 10th 1847
(Signed) J B Humphries
J M L Standard
Auditors

The 11

In testimony, that the foregoing three pages contain
 a true & Copy of the Account of John Brill admr
 of the Estate of Bernard Benoit dec'd filed on the
 10th day of May 1847, before J. A. Humphries and
 W. A. Standard, Auditors, I hereunto set my
 hand and affix the Seal of the
 Probate Court of Harrison County
 at my office in Mississippi City this
 24th day of May 1848

W. A. Evans Clerk
 Probate Court Harrison County

The Estate of Bernard Benoist Esq Deceased Pierdon,

1842
Feb 18th 3 1 Months services rendered said
Benoist in the year 1839 at
the rate of \$30 per month is \$180.00

8 Months work rendered to said
Benoist in the year 1840 at the
rate of \$30 per month 3 240.00

5 Months services rendered the
said Benoist in the year 1841
at the rate of \$30 per mo 150.00
(Pay Five hundred and seventy dollars) \$570.00

The State of Mississippi
Harrison County 3 Personally appeared before
me Wm A Champlin a Justice of the Peace in
and for the County and State aforesaid, Dewasant
Pierdon, who being first duly sworn deposes and
saith that the account as stated above is
just and true, and that the said Benoist
contracted the same during his life time,
And that he has not received any part of the
money stated to be due, or any security or
satisfaction for the same
Sworn to and subscribed (Signed) Dewasant ^{his} Pierdon
before me this 18th day of
February 1842
(Signed) W A Champlin J P Seal

For value received I hereby assign the within
Account amounting to Five hundred and
Twenty dollars to John Brill and direct
payment thereof to be made to him this 18th
day of February 1842.
Attest

W.A. Champelin
Margaret Champelin
(Signed) Duvasant ^{his} Pardon

Filed in my office this 18th day of February
1842 W.A. Champelin CLK

Examined allowed and approved on the
first day of the March term of the year 1842
George Kelly J. C. C.

Voucher 12
filed 13th August 1847
W.L. Evans CLK

In testimony that the foregoing page and a half contain
a true Copy of Voucher No 12, against the Estate
of Bernard Benoit dec. I W.L. Evans Clerk of the
Probate Court do hereunto set my hand and affix
the seal of my office this 24th day
of May 1848
W.L. Evans CLK

(10)

Estate of
Bernard Benoit

Bernard Benoit Juror

at

Gustin Joseph

Answer

Filed in my office
this 13th day of
November 1844

Wm C. Gormon Clerk
by C. H. Schoenwald deputy

The State of Mississippi 3

Harrison County 3

Benoist 32

In the Court of Probates

November Term AD 1844

The Answer of Justin Joseph to the Bill or Petition of
Bernard Benoit Complainant, or to so much thereof
as he is advised is material for him to answer
into, Answering, saith,

That it is true that at
the November Term of Your honorable Court 1843
Your petitioner by his solicitor did file his petition
praying distribution to him, as the legal heir
and next of kin to Bernard Benoit-deceased
late of said County, and your petitioner still asserts
and believes that he is the next of kin and
legal heir to said deceased, and entitled to
distribution as prayed for in his original
petition to Your honorable Court,

This respondent further answering saith that
the said Petitioner Bernard Benoit ought not
to be made a party to his suit against the
Administrator of said Estate, because
He says that at the time of filing said
Petition and at this time the said Bernard
Benoit is a Slave, the property of said
Estate, and as such has been inventoried
and returned by the administrator of
said Estate, Because, If the said petitioner
or, has any rights, they are only contingent

and depend upon a contingency which has not yet happened, To wit upon, the contingency of said Estates reaching to the state of Mississippi which it has not yet done, will not do whilst there is a contest in the Your Honorable Court between your respondent and the administrator, by our respondent claiming to be the legal heir and next of kin of the said deceased.

Your respondent further answering saith that the Legislature of the state of Mississippi have no ~~power~~ ^{power} to take away the rights of your respondent, and to substitute another person as heir to said Estate, or to take any control of said Estate, until your Honorable Court shall finally decide upon the rights of your respondent. Your Respondent further answering saith that he denies that the said Peterson is the natural son of the said deceased or that the said deceased died without legal heirs at law - denies that he has had any rights vested in him by the act of the Legislature referred to in his petition and generally denies, all the matters and things set forth in the

petition of the said Bernard Benoit (except
what is herein before admitted) and
prays that the said petitioner may
be held to strict proof, and that
on a final hearing the Bill of the
said Petitioner may be dismissed with
costs to this respondent, ~~and such other~~
~~and further relief as to your Honor may~~
~~see meet and applicable to equity~~
~~and good conscience, and your~~
~~respondent will etc~~

W. Chapman
Solicitor for Respondent

Bernard Benoit
estate (No 1)
petition of
Roderick Seal Adm'r
filed 28th May 1844
Wm. Haman Clk
May Term 1844
Order
Sustained as far as New
Bond & Security for \$8000
order —

May 1844
BENOIST 35

State of Mississippi & Estate of Bernard Benoit Junior
Harrison County In the probate Court of said County
May Term 1896

To the Honorable George Kelly Judge of the
Court of Probate of said County,

The petitioner of Bernard Benoit Junior
admirator of all and singular the goods and chattels Rights and Credits
which were of Afflicted Jane Deceased who died intestate and a
resident of the County of Hancock State of Mississippi Respectfully
Sheweth unto your Honor That he admiralator of said Estate
Jane is married and said estate ^{of said Bernard Benoit} in that he claims that the Estate
of Bernard Benoit as represented in your honorable Court ~~that~~
the estate of said Afflicted Jane that a suit is now pending in
the Court of said County of Harrison on said claim and
that John Brill of said County of Harrison and State of said
has been appointed by your honorable Court admiralator of all and
singular the goods and chattels, rights and Credits which were of
Bernard Benoit deceased at the time of his death and who died intestate
and has in his hands and possession the whole of said estate,
and being interested as aforesaid he beg leave to represent to your
honor that said estate ^{of said Bernard} as does appear by the inventory returned
by the admiralator ~~and collation~~ and now in Court is
composed of thirteen negroes, about three hundred head of cattle
twelve horses, two colts, some other stock, farming implements and other
effects which your petitioner considers and believe to be worth about
eight thousand dollars, being a value greatly superior to the amount
represented by said admiralator your petitioner would further
represent unto your Honor that he does not deem said estate sufficiently
secured by the bond now in Court given by said admiralator in the
amount of two thousand five hundred dollars, which amount is so
much below the real value of said estate. That he does not believe the
sureties to said bond to be good and sufficient even if the bond
was sufficient in its amount to cover the value of the property
belonging to said estate.

Your petitioner therefore humbly prays

prayer that your honor will order the premises, and order that
~~the said administrator be required to give other good and sufficient~~
security in and short time to be appointed by your honor, and in
default thereof that his letters of administration be revoked and that
said administrator be restrained from further proceedings in in said
estate until he has given such other good and sufficient security, and
if at the time appointed such security are not given that the sheriff
of said County of Harrison be ordered to take such estate into his
possession and deliver the same to the administrator de bonis non
who may be appointed by this Honorable Court.
And your petitioner is in duty bound to

J. Muldowney
Attorney

Subscribed

Witness

State of Mississippi
County of Harrison
Before me the Undersigned Justice of
the Peace in and for said County, James H. Bledsoe, Clerk of the
Court, who says that the matters set forth in the foregoing
Petition are true to the best of his knowledge and belief.

Done at and Subscribed before
This 28th day of May 1844
J. B. Bledsoe

J. B. Bledsoe

16
Estate of Bernard
Benoist —

BENOIST 39

Bernard Benoist Jr.

2,
John Pitt Adair

Complete

Estate of Barnard Benoit

Barnard Benoit Jr

John Benoit

- No. 1 August Term 1844 Petition of Barnard Benoit Jr
 for distribution —
 " 2 March Special Term 1845 Answer of John Benoit to
 Petition of Barnard Benoit Jr
 " 3 " Supplemental Answer of John Benoit
 " 4 " Bill of Exception Barnard Benoit Jr
 to the opinion of Court overruling the
 Petition
~~" 5 " Bill of Exception John Benoit to the
 opinion of Court overruling the
 Petition~~
 " 7 March Special Term 1845 Petition for sale of Court
 Barnard Benoit
 " 8 August Special Term ¹⁸⁴⁶ Bill of Exception, Barnard
 Benoit Jr

Bernard Benoit
estate

Rece. Adm. Surv.

filed 28th May 1844

Wm. H. Benoit, Clerk

(7)

Rule of Exception to
opinion of the Court refer-
ring to the advice the
Juries are

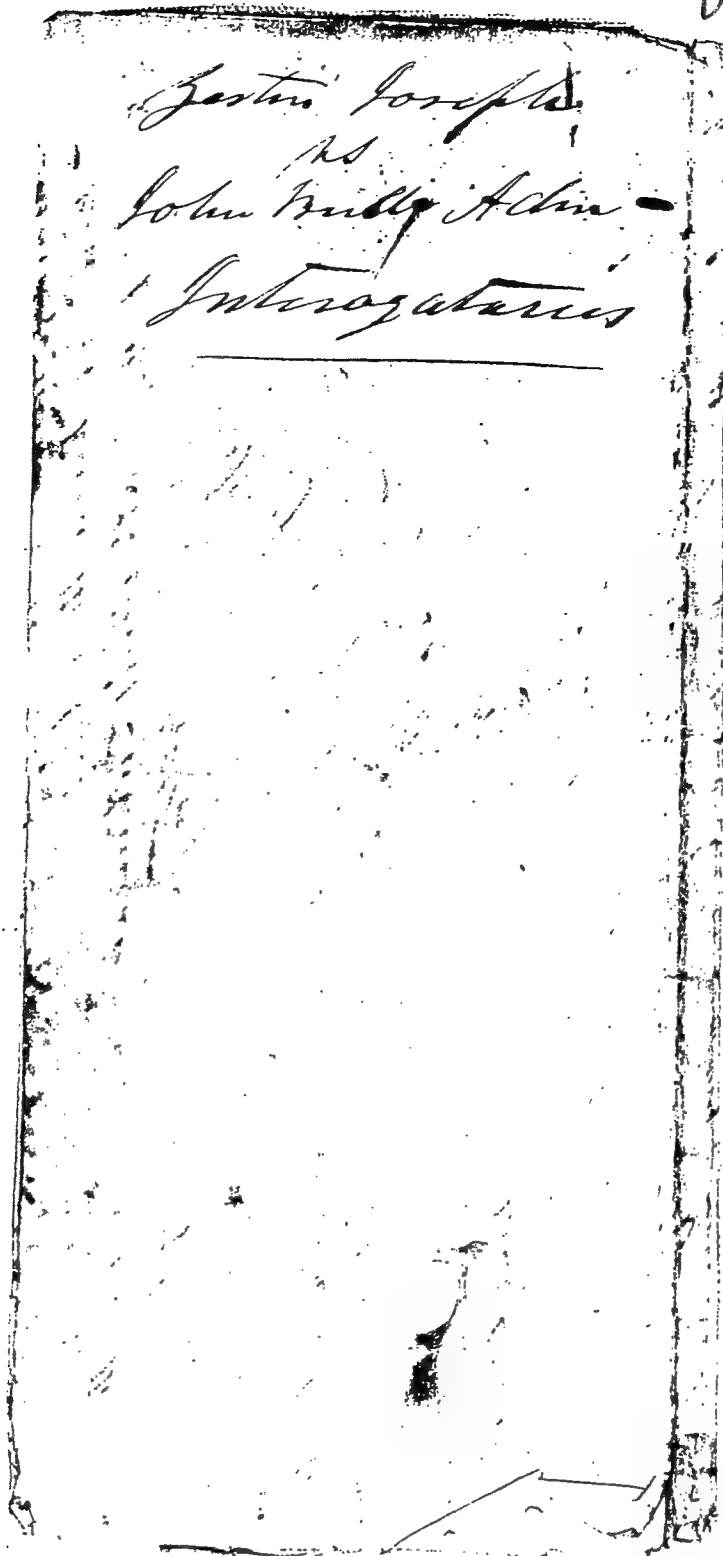
May 2nd 1844

The State of Mississippi } In the Court of Probate of said County
 Warren County } Of the May Term A.D. 1844.

In the Estate of Bernard Benoit sen Decedent intestate

Be it remembered that

at the term of said court aforesaid Rodrick Seal administrator of
 all and singular the goods and Chattels, rights and Credits, which were
 of Melite Favre late of said County of Warren decedent who died intestate
 claiming the Estate of Bernard Benoit aforesaid a Freeman of Color decedent
 as belonging to his estate of his intestate Melite Favre files in said
 Court the following motion to wit: Motion by Rodrick Seal
 administrator of Melite Favre &c to set aside the allowance
 of and reject on account of five hundred and seventy dollars
 allowed to John Brill the administrator of said Estate of Bernard
 Benoit at the March Term 1842 of this Court and to prevent
 said administrator from applying any of the assets of said
 estate to the discharge of said Account, which shows on its
 face to have been assigned to said administrator by one
 Devassant Pierdon after said Brill was appointed administrator
 and colligendum
 Because 1st said administrator is not a bona fide Creditor
 of said estate. 2^d an open Account being a chose in action
 a right to sue, and more possibility is not assignable
 it is in evidence before the Court that said administrator has
 not filed any claim accrued to him other than the account
 following (here insert the account of Devassant Pierdon with
 affidavit and assignment) which was allowed to said administrator
 at the March Term of said Court in the year 1842 (by the
 following order (here insert the order of the Court allowing said
 account) when said motion the Court overruled for the following
 reasons that when an Account is presented to the Court for
 allowance duly proved or authenticated according to the
 Statute he has no discretion but must allow the same
 to which opinion of the Court this Bill of exception ~~was~~ taken
 and pray the same be allowed signed and sealed by your Honor
 which is accordingly done given under his hand and seal
 and in open Court George Holley J.P.C. &c. (Seal)



State of Mississippi } Justin Joseph
 Harrison County } John Willard Admonitor
 Bernard Benoit
 - June 1843 - Probate Court of the said
 County - Interrogatories to be propounded
 to Bernard Benoit and John B. Benoit Joseph Benoit
 and Mrs. Annette Michals -
 who are residents of the State of Alabama
 and material witnesses for the Plaintiff in
 the said cause. First Interrogatory
 Do you know the parties to the said cause if
 any how long have you known them
 or either of them and where -
 Interrogatory 2^d did you know Bernard
 Benoit in this State if any how
 long ago did you know him and where
 Interrogatory 3^d did the said Bernard
 leave any legitimate children -
 Interrogatory 4th Had the said Bernard
 any Brothers or Sisters if any are
 they living or dead and did they die
 before Bernard and what time
 Interrogatory 5th Is Justin Joseph
 the only next of kin of the said
 Bernard Benoit dec'd - If

Eye State your knowledge of
interrogatory 6th did you know the
Mother of Justice Joseph of age
is she dead will was she a free woman
interrogatory 7th did you know
Justice Joseph always to be a free
man. If eye state how you know it
and whether you are interested in
this suit in any manner
interrogatory 8th state all you know
that will benefit the Petitioner as
fully as though you were
particularly interrogated thereunto

W. C. Stanley atty.
for Pet.

~~W. C. Stanley~~
att'y for Claimant

Ans Interrogatories to be provided by the Defend-
ant John Bird Administrator of the Estate of Ramona
Benoit. To Louisa Rusanard, John St. Laurent, Joseph
Lavette, & Mrs. Amelle Nicholas - which when answer-
ed will be read in evidence on the trial of this case -
For - If to the first direct Interrogatory you answer, then
you know the Plaintiff is John Bird, now being

you know him. When did you first become acquainted with him, how old was he at that time, how old is he now -

2^d If to the second direct Interrogatory, You answer, that you knew Barnard Benoit, state when you first became acquainted with him, where was he residing, how old was he when you first saw him. When did you last see him. Who was his Father, was he a white man or a Negro, If his Father was a white man, was he an American, or a Foreigner - If a foreigner, from what Country did he come.

3^d If to the third direct Interrogatory, You answer, that Benoit ~~did not~~ leave any ~~testimony~~ ~~to~~ ~~the~~ ~~fact~~, ~~that~~ how you know that fact.

4th If to the fourth direct Interrogatory, You answer, that Benoit had Brothers & Sisters, state distinctly how you know that fact.

5th If to the fifth direct Interrogatory, You answer. That you know Testine Joseph to be the only next of kin to the said Barnard Benoit, state distinctly how you came possessed of the said Information.

6th If to the sixth direct Interrogatory, You answer, that you know the Mother of Testine Joseph, and that she was a free woman - state why you believe her to have been free, state also, who was her Father. Was he a white man or a Negro. What was his name.

7th If to the seventh direct Interrogatory, You answer, that you knew Testine Joseph, always to have been a free man - state fully your grounds of knowledge - state also who was his Father & whether he was a white man or a Negro.

8th If you know anything further that will be of service to the Defendants, state the same as fully as if particularly interrogated thereby -

E. J. Fourquet
Attorney for Defendants

Estate of Bernard Benoit Senr

Bernard Benoit Junior

vs

John Brill adm^r &c

Petition for distribution

filed 17th day July 1844
Am^b Gorman Clk

August Term 1844.

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GENEALOGY COLLECTION

The State of Mississippi }
 Harrison County } In the Court of Probates of said County
 of ~~the~~ August Term A.D. 1844

To the Honorable George Holly Judge of
 the Court of Probates of said County:

The petition of Bernard Benoit
 Junior a resident of said County of Harrison and State of Mississippi
 Respectfully sheweth, unto your honor: That some time in December 1841
 Bernard Benoit a free man of color died, intestate in the said County of
 Harrison without any legitimate ^{issue} or any legal heir or next of kin, possessed
 of an Estate Consisting of Negroes, Cattle, Horses, Farming utensils,
 and other effects, of considerable value. The Legislature of the State of
 Mississippi at its session held at Jackson 1844 at the petition of your petitioner
 who is the natural son of the said Bernard Benoit Senior deceased
 passed an act entitled "An act for the relief of Bernard Benoit Junior"
 approved February 13th 1844. By which act the State of Mississippi
 relinquishes & transfers, and assigns unto your petitioner all the right, title
 claim, and interests of any kind which said State had by escheat
 in the estate of said Bernard Benoit Senior deceased, late of said
 County of Harrison and State aforesaid. And in said act it is further
 provided that the right & title in and to said estate shall enure to
 and vest in your petitioner in as full and ample manner, as if the same
 had been bequeathed to him by will or had inherited as a legal heir,
 the rights of legal heirs if any and of Creditors not to be injured thereby.

Your petitioner would further represent that by virtue of said
 act, and in the absence of legitimate issue or legal lineal heirs of the said

Benoist 49

Bernard Benoit Senior deceased, he is the sole heir and only distributee to said estate, which is now in the hands and possession of Solomon Brill a resident of said County of Harrison and State of Mississippi, and who has been appointed administrator of all and singular the goods and Chattels, rights and credits, which were of the said Bernard Benoit Senior deceased, at the time of his death, and who died intestate.

Your petitioner would further represent unto your honor, that, more than twelve months have elapsed since the granting of letters of administration, that, but very few debts exist against said estate, and those of small amount. Your petitioner therefore prays your honor, to grant a rule on said administrator to make distribution of the said Bernard Benoit's estate to your petitioner, and that he be held to answer fully and be compelled to account as to the assets belonging to the estate in his hands, and of his actings and doings in the premises. and so as to ~~secure~~ said administrator may be secure in the premises against all claims, debts, or demands which may afterwards be made against the estate of said deceased, your petitioner tenders to your honor a bond, in such an amount as your honor may deem sufficient, condition for the refunding of a due proportion of any debts or demands which may hereafter appear against said estate, and the costs attendant on the recovery of such debtor demands.

And your petitioner as in duty bound
Will ever Pray &c

his
Bernard ~~Benoit~~ Benoit Jr
mark
Whitor

J. C. Chomet

The State of Mississippi

Harrison County

BENOIST 50

Before me the undersigned Justice of the
peace came Bernard Benoit Junior who on his Oath says that the
matters contained in the foregoing petition are true to the best of his
knowledge and belief

Sworn to and subscribed before me

Bernard ^{his} Benoit
mark

this 28th day of May, A.D. 1844

Wm. A. Henry J. P. 1844

PASCAGOULA LIBRARY
GENEALOGY COLLECTION

Selection of Pierre
Saucier -

Estate of Pierre and
Bernard - March Term
1842 -

Bernard

Bernard

PASCAGOULA LIBRARY
GENEALOGY COLLECTION

Bernard Benoit, Sr.
d. 26th Dec. 1841

To the Honorable the Court of Probate of the County of
Harrison the Petition of Eugene Troulier Respectfully Sheweth

That some time in December last Bernard Benoit late of said
County died intestate possessed of an Estate both real and personal within the limits
of this County having no direct legal heir but your petitioner who is his nephew
being the son of the sister of the said Bernard Benoit deceased is said sister being
from the same mother with the said Bernard Benoit Your petitioner would further
state that although he is by law intitled to the administration of said estate yet
being a citizen of the State of Louisiana and unacquainted with the ^{rights} ~~business~~ of
the Court in settling an estate he declines his rights to said administration in favor
of Pierre Sancier of Pope Christian who holds next to him the rights to said administra-
tion being a creditor of said estate your petitioner therefore prays your honorable
Court to grant letters of administration to the said Pierre Sancier in the premises
and Order the administrator ad Colligendum heretofore appointed to deliver in his
possession said estate together with inventory by him taken of the same

And your Petitioner Oe

Eugene Troulier
Mark

To the honorable Court of Probate the Petition of Pierre Sancier
Respectfully Sheweth

That he is Creditor of the estate of Bernard Benoit
and on the refusal to act as administrator of the legal heir of said Bernard Benoit
heard he is by law entitled to the administration of said estate and at the
request of the said heir Eugene Troulier your Petitioner ~~therefore~~ prays
that said letters of administration be granted him in premises according to law

And your Petitioner Oe p^r Sancier

Bill of Exceptions

Joseph Troullier

Estate of Ramond Benoit
March Term 1842

Mandate of High Court
of Error & Appeals -

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The Bill of Exceptions
is hereby returned
with the original
papers of the
cause.

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GENEALOGY COLLECTION

The State of Mississippi

High Court of Errors and Appeals

January Term 1843 (5th of April)

BENOIST 54

Pierre Sancier Appellant

vs

John Bull Adam of Bernard

Benoit deceased Appellant

Cross Appeal from the
Probate Court of Harrison
County

This cause having been submitted and duly
considered by the, it is ordered adjudged and decreed that
the decree of the Probate Court of Harrison County to which
this Appeal was taken be and the same is hereby affirmed.

It is further ordered and adjudged and decreed
that said appellee do have and recover from said Appellant
principal, Jacques Sancier, and Ramon Luzmo securities
in the Appeal Bond his costs about his defence in this behalf
expended to be taxed by the Clerk of this Court.

J. Francis G. Hopkins Clerk of said High Court
of Errors and Appeals do hereby certify the above to be a
true copy of the final judgment of said Court, as the same
is be of record in this office,

Given under my hand and
the seal of said Court this 14th day
of April Anno Domini 1843

Francis G. Hopkins
Clerk

In the Court of Probates of Harrison County
Estate of Bernard Benoit Dec'd intestate

Be it remembered that at
the March Term ¹⁸⁴² of said Court held at the Mississippi City in
said County. Eugene Troulier claiming as a lineal heir of said
Bernard deceased filed a Petition in said Court. ~~to wit~~ here insert the
Petition. Which said petition after due examination of witnesses was
taken under an advisement by the Court until the following term of
said Court and at the said term to wit: in the month of May 1842
the Court after having heard the arguments of Counsel delivered the
following opinion to wit: the Court rejects the prayer of the petition of
Eugene Troulier a free man of Color and decides that although it
was proved that he was the son of the sister of Bernard Benoit deceased
also a man of Color that the said Eugene Troulier could not inherit
of his mother being born an illegitimate child.

To which said opinion this Bill of exception is taken
and pray that the same may be allowed signed and sealed by your honor.

S. Abbott
for prayer.

George Holley J. C. Cl. 1842

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This is not in the original

No 1

BENOIST 56

L. A. Caillavet
Bond & Oath

Estate of
Bernard Benoit

Fors. 12-25
R

Know all men by these presents that we Louis A. Caillavet of Bilboi in Harrison County, and George Mueller and Jacob Elmer — are held and firmly bound unto the Honorable George Holley Judge of the Probate Court of Harrison County, and to his Successors in office in the full and just sum of Eight Thousand Dollars, for the payment of ~~which to be well and truly made~~ we each of us hereby bind ourselves, and each of us our heirs, Executors and administrators jointly and severally by these presents. Sealed with our seals and dated this twenty Eighth day of May in the Year of our Lord one Thousand Eight hundred and forty two,

The Condition of the above obligation is such, that whereas, Pierre Saucier and John Brill were both applicants by Petition, for Letters of administration in Chief on the Estate of the late Bernard Benoit deceased, at the May Term of the Probate Court of said County of Harrison ~~County~~, and whereas the Judge of said Court rejected the Petition of the said Pierre Saucier and appointed the said John Brill administrator of said Estate, and whereas the said Pierre Saucier has taken and appeal from the decision of said Court to the High Court of errors and appeals, and whereas the said Court has appointed the above bounden Louis A. Caillavet administrator of said Estate until the final decision of said appeal, Now if the said Louis A. Caillavet administrator of the goods and Chattels and Credits of Bernard Benoit deceased, do make a true and perfect Inventory of all and singular the goods, Chattels and Credits of the said deceased, which have or shall come to the hands, possession, or knowledge of Louis A. Caillavet the said administrator, or in the hands or possession of any other person, or persons, for

the said administrator, and the same so made
do exhibit into the Probate Court of the said
County of Harrison, when he shall be thereunto
required by the said Court, and such goods, chattels
and credits, do sell and truly administer, according
to Law, and further do make a just and true
account, of his acting and doings therein, when
thereto required by said Court, and all the rest
of the said goods, chattels, and credits, which shall
be found remaining, upon the account of the
said administrator, the same being first exam-
ined and allowed, by the said Court, shall
deliver and pay unto such persons, respectively, as
are entitled to the same by Law, and if it
shall hereafter appear that any trust will uncon-
testament, was made by the deceased, and the same
be proved in Court, and the executor or executrix ob-
tain Letters testamentary, and the said Louis A
Baillavet, do, in such case being required, render
and deliver up, his Letters of administration, then
this obligation to be void, else to remain in full
force.

In witness whereof we have hereunto
set our hands and Seals, this
twenty eighth day of May in the
Year of our Lord one thousand
Eight hundred and forty two.

Wm W Alchamplin

L. A. Baillavet
J. J. Taylor
Jacob. Emery

State of Mississippi
Harrison County

Now shew shew that Roman
Benoist, deceased died without any will, as far
as you know or believe, and that you will well
and truly administer, all and singular the
goods, Chattels and Credits of the said deceased
and pay his debts, as far as his goods, Chattels
and Credits, will extend, and the law require
you, and that you will make a true and perfect
Inventory, of all the said good Chattels and
Credits, as also a just account when thereto
required - So help you Gods

L. A. Caillavet

Sworn to and subscribed before
me this twenty eighth day of
May 1842
Malheur Smith

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August 1842
BENOIST 60

Inventary of the Estate
of
Bernard Benoit
Louis Hurlant Adm.
August Term 1842

2

Running 75 cts

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Inventory of the property belonging to the
Estate of Bernard Benoist deceased late of
Harrison County

Slaves

George	aged 30 years	
Hannah	" 40	"
Olivia	" 21	" Wife of Hannah
Frederick	" 19	" Do. hired to Charles
Washington	" 13	" Do.
Johnston	" 12	" Do.
Maria	" 10	" Do. with Bride
Josephine	" 8	" Do.
Bernard	" 6	" Do.
Amelia	" 5	" Do.
Louis	" 3	" Do.
Victor	" 2	" Do.
Nathaniel	" 1	" Do. Child of Olivia

Cattle

300 Head of horned, supposed
12 Horses
2 Colts

Fowls

1 Lot of Hens & Chickens
4 Geese
21 Turkeys

2 Plows, 1 Harrow, 3 Pickaxes, 2 Axes, 3 Shovels,
1 Biddle, 1 Rifle Gun, 1 double barreled shot Gun,
2 Mattresses, 3 Blankets, 3 Sheets, 1 Pillow, 1 Lot
of cooking utensils, 1 small lot of crockery ware
1 Cart, 1 Perimeter. Deed for Land purchased
from Joseph Sullivan and Wife Catherine in 1836, and
a copy of a paper purporting to show said Bernard
to have been free, 2 old papers in the Spanish Language
1 note against John Deane for \$184. dated 14th Aug
1838 and due on demand, 1 paper in French supposed
to be a due Bill for \$10. and sundry other papers.

The foregoing is a true and correct Inventory of all the property belonging to the Estate of the said ~~Bernard Benoit~~ ^{Bernard Benoit} deceased so far as I know or believe or has come to my ^{active} knowledge.

In witness whereof I have set my hand and Seal
the 20th day of August 1842.

L. A. Caillevat *JP*
Administrator

State of Mississippi

Harrison County

Personally appeared ^{before} me George Holley Judge of the Probate Court of County aforesaid Louis it Caillevat Who being duly sworn Depose and Say that the above inventory is a true inventory of ^{all} the personal estate of Bernard Benoit so far as the same has come to his sight or knowledge in witness whereof I have set my hand and Seal this 20th day of August 1842

George Holley *JP* *CH* *CL*

BENOIST 63

La Cailland Adam

Banane Bens deu

Inventory and

3

Appraisement

R

The State of Mississippi

Benolist 64

To Benjamin Holley, Auguste Hayara, and Allen Heenley. Greeting

This is to authorize you jointly to appraise the Goods, Chattels and personal Estate of Bernard Benoit deceased, late of Harrison County, so far as they shall come to your sight and knowledge, each of you having first taken the oath or affirmation hitherto annexed; A certificate whereof you are to return annexed to an Inventory of said Goods, Chattels and personal Estate by you appraised in dollars and cents, and in the said Inventory, you are to set down in a column or columns, opposite to each article the value thereof

Witness the Honorable George Holley Judge of the Probate Court of Harrison County and the Seal thereof annexed this 26th day of August 1842

W. A. Champlin Clerk

I Benjamin Holley Auguste Hayara and Allen Heenley do solemnly swear that I will well and truly, without partiality or prejudice value and appraise the Goods, Chattels and personal Estate of Bernard Benoit deceased so far as the same shall come to my sight and knowledge and will in all respects perform my duty, as appraiser, to the best of my skill and Judgement, - so help me God

Subscribed before me this 13th day of September 1842

Benjamin Holley
Auguste Hayara
Allen Heenley

W. A. Champlin Clerk

BENOIST 65

Inventory and appraisement of the personal Estate of
Bernard Benoit deceded.

George aged of 30 years subject to fits	\$	40	-	"
" " " 40 " " " "		75	-	"
Eliza " " " 21 " " " "		150	-	"
Washington " " " 13 " " " "		150	-	"
Julienne " " " 19 " " " "		200	-	"
Thomson " " " 12 " " " "		150	-	"
Marya " " " 10 " " " "		112	-	"
Josephine " " " 8 " " " "		75	-	"
Bernard " " " 6 " " " "		80	-	"
Amelia " " " 5 " " " "		60	-	"
Louis " " " 3 " " " "		55	-	"
Victor " " " 2 " " " "		50	-	"
Watole " " " 1 the child of Eliza				
Cattle				

300 heads of Cattle suppose at 3		900	-	"
12 Horses " " " at 10		120	-	"
2 Colts " " " at 3		6	-	"
A lot of Hens and chickens 3 of them			-	34 1/2
4 Geese " " " " "		1	-	"
13 turkeys " " " " "		3	-	25
2 plows " " " " "		2	-	"
12 Hammers " " " " "		0	-	"
17 pickaxe " " " " "			-	25
12 Spades " " " " "			-	50
3 Hoes " " " " "			-	75
3 Saddles " " " " "		3	-	50
4 Brushes " " " " "			-	25
to the other part		\$ 2234	-	34 1/2


from the other part


\$ 2234 87½ BENCIST 66

✓ 1 Rifle gun	5	-	"
✓ 1 double barreled gun	2	-	"
✓ 2 Mattresses	2	-	"
✓ 3 Blankets	2	-	"
✓ 3 Sheets	1	-	50
✓ 1 Pillow	"	-	50
✓ 4 Pots and frying pan	5	-	25
✓ 1 small lot of Crockery ware		-	50
✓ 1 lot of spoons and knives		-	50
1 Cart	8	-	"
1 Perogues	2	-	"
1 note against Thom Dedmon	187	-	"
Dated the 17 January 1838	10	-	"
1 ditto of Nambi Roichard for	\$ 24	61	12 - 1/2

The state of Mississippi
Harrison County

We the undersigned
do hereby certify that the foregoing is a true
and correct appraisement of all the goods
and chattles and personal state of the late
Bernard Benoit deceased so far as the
same has come to our sight or knowledge
in witness whereof we have set our hands and
seals this the 14th September 1842.

Augustine Bayard 

Benj Holley — 

Allen Hawley 

Sept. 1842
BENOIST 67

Inventory of the property belonging to the
Estate of Bernard Benoit, deceased, late
of Harrison County

Slaves

George	aged 30 Years	
Hannah	" 40 "	
Eliza	" 21 "	the child of Hannah
Julian	" 19 "	" " " " " " " "
Washington	" 13 "	" " " " " " " "
Johnson	" 12 "	" " " " " " " "
Maria	" 10 "	" " " " " " " "
Josephine	" 8 "	" " " " " " " "
Bernard	" 6 "	" " " " " " " "
Amelia	" 5 "	" " " " " " " "
Louis	" 3 "	" " " " " " " "
Victor	" 2 "	" " " " " " " "
Mattie	" 1 "	the child of Eliza

Cattle

300 Head of horned cattle
12 Horses
9 bolts

Fowls


1 Lot of Hens & Chickens
4 Geese

Tools

2 Hoes, 1 Harrow, 3 Pickaxes, 2 Spades, 4 Axes
3 Saddles, 1 Bridle, 1 Rifle Gun, 1 double-barreled
Shot Gun, 2 Mattresses, 3 Blankets, 3 Sheets, 1 Pillow
1 Lot of Cooking utensils, 1 Small lot of broom
ware, 1 Coat, 1 Bannister, Deeds for land
purchased from Joseph Cadner, and wife Catharine
in 1836, and a copy of a paper purporting to show
said Bernard to have been free, 2 old papers
in the Spanish Language, 1 note against John
Declaracion of 1837 dated 17th January 1838, and

due demands, & Paper in French, supposed to
be a due Bill for ~~the~~ and sundry other
papers.

The foregoing is a true and correct
Inventory of all the property belonging to the
Estate of the said Bernarda Benoit, deceased,
so far as I know or believe, or has come to
my knowledge. In witness whereof I have
set my hand and seal the 20th day of
August 1842 L. A. Baillaert *Baillaert*
Administrator

State of Mississippi
Harrison County 3 Personally appeared before
me George Holley Judge of the Probate Court of
County aforesaid, Louis A. Baillaert, who being
duly sworn deposed and said, that the
above Inventory, is a true Inventory of all the
Personal Estate of Bernarda Benoit so far as the
~~same is known to his agent or those who~~
In witness whereof I have set my hand and
seal this 20th day of August 1842
George Holley J. H. H. 

The State of Mississippi
Harrison County 3 I W. A. Chapman
Clerk of the Probate Court of the County aforesaid
do hereby certify that the foregoing is a true
and correct copy of the Inventory of the Estate
of Bernarda Benoit deceased, as now of Record
in my office. In witness whereof I have hereunto
set my hand and the
Seal of said Court, this
Seventh day of September
1842 W. A. Chapman *W. A. Chapman*

1010
BENOIST 69
États de Namour
Benoist

Louis A. Failland
Ann. Pendente Lite

Complete

Estate Bernard Benoit An
 Louis A Caillavet Admin

- No 1 - May Term 1842 Bond of Admin-
 istrator Pending Ltr.
- No 2 August Term 1842 Inventory of the Estate
- No 3 Appraisement of the Estate made by }
 Augustin Fayard Bay Robby & Allen }
 Duly 18th Sept 1842 }
- No 4 May Term 1844 Application for sale of }
 20 head of Cattle }
- No 5 Account of the Sale of Cattle amounting }
 to \$ 84 75 }
- No 6 Final acc of La Caillavet Administrator
 Pending Ltr - approved August Term
 1843 -

act of Relief -
to inherit

Bernard Benoit

BENOIST 71

As
John Price adms
Estate of Bernard Benoit

my
Lidell this 14th day
March AD 1813
Geo R. Richardson

Justin Joseph

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GENEALOGY COLLECTION

The State of Mississippi } In the Court of Probates of said
 Harrison County } County at a Special Term in March
 1845

To the honorable S. J. Henry Judge of the
 Court of Probates of said County.

The petitioner of Bernard Benoit Jr
 a resident of the county of Harrison and State aforesaid.

Respectfully sheweth unto your honor
 that he is the Natural son of Bernard Benoit senior late of said
 County of Harrison who died intestate without legitimate issue
 next of kin or legal lineal heirs possessed of considerable
 estate in said county. That John Brill of said county
 of Harrison and State aforesaid has been appointed by
 your honorable Court administrator of all and singular the
 goods and Chattels, rights and credits which were of the
 said Bernard Benoit senior deceased at the time of his
 death and who died intestate, and has in his hands the
 whole of said estate in which estate your petitioner is
 largely interested. The State of Mississippi by an Act approved
 February 13th 1844 Entitled an act for the relief of Bernard
 Benoit Jr. relinquished transferred and assigned unto your
 Petitioner all the rights said estate had by escheat in and
 to said Estate and provided that said estate should come
 to and vest in the said Bernard Benoit in as full and ample
 manner, as if the same had been bequeathed by will or be

had inherited as a legal heir, provided the rights of legal heirs and creditors be not injured thereby. and by virtue of the foregoing premises your petitioner being so interested he would represent to your honor that said Estate as does appear by the inventory and appraisements returned in this court is composed of thirteen negroes a large stock of Cattle horses Colts other stock farming utensils and other effects of great value your petitioner would further represent that ^{Wm C. Seaborn} one of the security of said administrator has lately died and the whole of his estate has been by your honorable court been deemed sufficiently secured by a bond of \$, 500 and that the other security is not worth the amount of the bond required by this court from said administrator

Your Petitioner therefore humbly prays that your honor will consider the premises and order that said administrator be cited to appear at the next term of this court and give other good and sufficient security and in default thereof that his letters of administration be revoked.

Mrs
Bernard X Benoit Jr
Mark

Robert & Meons
Solicitors

John Brill

Bernard Benoit Jr

W

John Brill, Administrator

37

Bill of Exemption

ms
Filed this 19th day March

AD 1843

Wm Geo. Richardson

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State of Mississippi } In the Probate Court of said
 Harrison County ss } County So (Master Special
 Term A D 1845

Be it remembered that on the
 27th of November 1845 Justine Joseph filed
 his petition in the Clerk's office of the Probate
 Court of Hancock County Mississippi. ~~herein~~
 in the words and figures following to wit. (Here
 insert the Petition of Justine Joseph of the above
 date.) And on the 26th of August 1844 Bernard
 Benois Junior filed in the aforesaid office of the
 aforesaid County & State a Petition to be made a
 party to the suit pending in favor of Justine
 Joseph vs John Brill & Administrator. Which
 Petition is in the words and figures following to wit
 (Here insert the above Petition of Bernard Benois
 Jr) upon the reading of said Petition the Probate
 Court of said County made the following order
 at its August Term 1844. Bernard Benois Jr
 vs Justine Joseph In Petition of Bernard Benois
 Jr to be made a party to the suit now pending
 between Justine Joseph and John Brill Adminis-
 trator of the Estate of Bernard Benois Jr deceased
 It is ruled that Justine Joseph do make the said

Petitioner a party as prayed for at the next Term of this Court or show Cause to the contrary and if Cause to the contrary should be shown that a copy thereof be served upon the opposite party or his attorney of record ten days previous to the expiration of said rule. And the said Justine Joseph by his Solicitor on the 13th of November 1843 filed in the office of the Probate Court of Harrison County Mississippi an Answer to and before mentioned Petition of Bernard Benois Jr (here insert the answer of Justine Joseph) which Petition of Bernard Benois Jr and the answer or objections of Justine Joseph came on to be heard on the first day of the aforesaid March Term and after argument of said Cause said Court decided that the said Justine Joseph should not be compelled to make said Bernard Benois a party to his petition to which decision of the Court the said Bernard Benois by his Counsel accepted & prays that this his bill of exceptions may be signed sealed and allowed by the Court which is accordingly done before the adjournment of the Court

Estate of B. Behoist

(8)

Interrogation of Mrs.
 Interrogation to Louis
 William et al. on
 the part of Justice
 Imple -

Interrogation

The State of Mississippi - } Administrators of Bernard Benoit
 Warren County - } Term 1843. Probate Court of the said County, Interrog-
 ations to be propounded to Louise Durand, John B. Givant, Joseph Durand, and Mrs. Annette Nicholas
 who are residents of the State of Alabama and material
 witnesses for the petitioner in the ~~above~~ ^{above} said suit
 interrogatory. Do you know the parties to this suit
 if yes how long have you known them or either of
 them and where.
 Interrogatory 2^d Did you know Bernard Benoit in his life time, if
 yes, how long did you know him and where.
 Interrogatory 3^d Did the said Bernard have any legitimate children
 Interrogatory 4th Had the said Bernard any brothers or sisters, if yes
 are they living or dead and did they ever die for Bernard
 and what time.
 Interrogatory 5th Is Justin Joseph the only next of kin of the said Bernard
 Benoit (dead) if yes, state your knowledge of it
 Interrogatory 6th Did you know the mother of Justin Joseph, if yes, is she
 dead, and was she a free woman.
 Interrogatory 7th Did you know Justin Joseph always to be a free man,
 if yes, state how you know it and whether you are
 interested in this suit in any manner.
 Interrogatory 8th State all you know that will benefit the petitioner as fully
 as though you were a party to the suit.

Subscribed and sworn to before me this 11th day of May 1843
 J. P. Durand, Clerk

For Plaintiff
 J. P. Durand, Clerk

Interrogatories to be propounded by the defendant - John
 Brill, Administrator of the estate of Bernard
 Benoit. To Louise Durand, John B. Givant, Joseph
 Durand & Mrs. Annette Nicholas, which were answered

1st If to the first direct interrogatory you answer that you know the plaintiff Justice Joseph, how long have you known him, where did you first become acquainted with him and where was he at that time. How old is he now

2nd If to the second direct interrogatory, you answer that you know Bernard Benoit state when you first became acquainted with him, where was he residing, how old was he when you first saw him, when did you last see him, who was his father, was he a white man or a Negro, If his father was a white man was he an American or a foreigner. If a foreigner from what Country did he come

3rd If to the third interrogatory, you answer that Bernard Benoit had not any legitimate children, then state how you knew that fact

4th If to the fourth direct interrogatory, ~~you answer that Bernard Benoit had brothers and sisters, state distinctly how you know that fact~~

5th If to the fifth direct interrogatory, you answer that you know Justice Joseph to be the only next of kin to the said Bernard Benoit state distinctly how you came possessed of said information

6th If to the sixth direct interrogatory, you answer that you know the Mother Fitz in Joseph and that she was a free woman, state why you believe her to have been free. State also who was her father, was he a white man or a Negro, what was his name

7th If to the seventh direct interrogatory, you answer that you know Justice Joseph always to have been a free man, state fully your ground of knowledge. State also who was his father & whether he was a white man or a Negro

8th I demand anything further that will be of service to the defendant and the same as fully as if particularly interrogated thereto

E. P. Fourniquette
Attorney for Defendant

Behoist 80

In the Court of Probate of Harrison Co

Justin Joseph

vs

John Brill admr

Interrogatus to B. Grilot

(12)

Filed Nov 24th 1845

W. G. Evans Clerk

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Justine Joseph

v

John Brill adm'r

In the Court of Probate of Harrison County
 Direct interrogatories to be propounded to Barthilem
 Grelot a material witness residing in the State of Alabama
 and whose answers will be used as evidence on the trial of the above entitled case
 at the February Term of the said Court

Interrogatory 1st

Were you or were you not acquainted with Bernard Benoit deceased
 if you state when and where you first knew him, who were his
 father and mother were they white or colored were they ever
 married was the mother of said Bernard Benoit ever married to

2nd

Did or did not Bernard Benoit ~~brother~~ have any other
 children if you state who and what they were were they any
 of them ever married what has become of them

3rd

do you or do you not know the complainant in this suit if you
 state who's child he is what relation he is to the said Bernard
 Benoit deceased were ever his parents married.

4th

under this interrogatory state in full all you know of the
 parents of said complainant which may be to an advantage to
 the defendant as fully as if specially interrogated thereon.

Q. W. Hunt.

for Defendant -

(5)

May 1897

BENOIST 82

Estate of

Bernard Benoit

of Sales

Le Chateau de St. Louis

filed 27th May 1897

Am. Benoit

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BENOIST 83

Amount of sales of cattle made by
 Louis A. Caillavet Adm. of Bernard
 Benoit on the Monday of A.D 1843
 by order of Probate Court.

To M. M. Sivratman	2	Ref cattle	@ \$9 1/2	\$19.00
" J. B. Ladner	4	"	@ \$7.50	30.00
" Allen Henley	2	"	@ \$6 1/2	13.00
" James Canthess	1	"	"	6.25
" D. McBean	2	"	@ \$6	12.00
				<u>\$86.25</u>

L. A. Caillavet
 Administrator

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Estate of Bernard Bunn

BENOIST 84

Answer of John Bull Bunn
to Petition of
Julius Joseph

(2)
May Term AD 1844

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The State of Mississippi }
Harrison County }

Estate of Barnard Benoit }
John Bull Administrator } Probate Court Harrison County
= Try May Term thereof AD 1844

John Bull Administrator of all and singular the goods & Chattels, Lands & Tenements which were of Barnard Benoit deceased, comes & answers the Petition of Justine Joseph, calling upon the said Administration, to make distribution unto the said Justine Joseph, as Next of Kin at Law, and next of Kin of the said Barnard Benoit deceased, comes into Court, and for answer to said Petition, denies generally & specially, that the said Justine Joseph is the Next of Kin at Law & next of Kin to the said Barnard Benoit. And Prays the Court that the said Justine Joseph may be held to strict proof of his allegations respecting the deceased Barnard Benoit & his right to Claim distribution as set for in his said Petition - And in default thereof, that he be dismissed hence - with an award for your Respondent's proper Cost in this behalf expended

And Your Respondent as in duty bound will ever pray

John Bull Administrator
By E. H. Hargraves
Attorney -

The Complainant Justine Joseph files
this in replication to the above -
in order to answer of do ft.
W. C. Moody &

Justin Joseph
Peterson for
distribution

vs

John Bricker

Adm - of Benoit

& Benoit dnd

Filed in open court
this 27th day of 27
November 1843.

Wm. Haman, Clerk

No 1 -

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State of Mississippi } To the Hon
Harrison County } Benoit 87
Holly Judge of
of The said County - The Probate Court

The Petition of
Jedim Joseph a resident of the City of
Mobile ~~Mobile~~ respectfully shew unto
your Honor that he is the only heir
at Law of ^{the estate of} Bernard Benoit dec'd
late of the said County. That the said
Bernard died intestate leaving no lawful
issue that John Smith has been duly
appointed Administrator of said Bernard
that there is ^{no} debts against said Bernard's
Estate of any consequence that he left
a considerable amount of personal property
consisting of Negroes Stock Farming Utensils
and other property as may be seen by a
reference to the ~~probate~~ proceedings
on the said Estate in your Honor Court
Your Petitioner would further shew
that more than twelve months have
elapsed since the granting Letters of
Administration to said Administrator
Wherefore in consideration of the
premises Your Petitioner prays
your Honor to grant a rule
on the said Administrator to make

distribution of said Bernard's
Estate to your Petitioner and
as in duty bound your Petitioner
will ever pray &c.

W. C. Stanley
Atty or Petitioner

W. A. Champin atty
for Claimant

Personally appeared in open Court
W. A. Champin attorney for Defendant
Joseph, sworn solemnly, sworn deposed
and said that all the facts set forth
as of his own knowledge are true
and those stated as derived from
others he believes to be true

Subscribed in open Court

W. A. Champin

W. C. Stanley